

REMARKS

This is in response to the Office Action mailed May 23, 2006.

Claims 2-18 have been amended. Claims 1 and 19 have been cancelled. Claims 20-36 have been added. Support for the amendments can be found throughout the originally filed application, e.g., originally filed claims. No new matter has been added.

Independent claim 11 and its dependent claims 2-7, 10, 12-17 and 20, independent claim 18, independent claim 8 and its dependent claims 21-28, and independent claim 9 and its dependent claims 29-36, are presented for consideration.

Amendments to the Specification

The specification has been amended to correct typographical mistakes. The parent application, USSN 09/366,193, was issued as United States Patent No. 6,610,016, not as 6,661,016. This was an inadvertent typographical mistake and the amendment to the specification is respectfully requested.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1-18 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention.

Specifically, the Examiner asserts that the term "open structure" has inconsistent interpretations. The Examiner indicates that the interpretation of the term from claim 1 is consistent to the interpretation as set forth in claim 3. However, the Examiner contends that the "back-reference to the 'entrapped gas bubbles' (for which antecedence is strictly lacking)... inferences that the 'open structures' of claim 1 may refer to trapped gas bubbles alone."

Applicants maintain that the term "open structure" as that term is set forth in the specification and in the claims, including claims 10, is consistent. However, to expedite

prosecution, claim 10 has been amended and the term "bubbles" has been removed. This should address the Examiner's antecedence rejection.

Claims 1, 3 and 10 have a consistent interpretation in that the "open structures" contain entrapped gas, e.g., which may be in the form of a bubble. This definition is clear and consistent with this term as defined throughout the specification, e.g., page 6, last paragraph, second sentence.

Applicants respectfully request that the rejection be withdrawn.

Allowable Subject Matter

The Examiner indicates that claims 8-9, 11 and 14-15 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph, and to include all the limitations of the base claims and any intervening claims.

Applicants believe that the 112 rejection has been addressed, as indicated above.

Claims 8, 9 and 11 have been recast as independent claims by including all the limitations from the base claim. Dependent claims 2-7, 10, 12-17 have been amended, and new 20 has been added to dependent from claim 11. Independent claim 18 has been amendment to include features from claim 11. New dependent claims 21-28 and 29-36, have been added to dependent from now independent claims 8 and 9, respectively.

All the claims should now be in a condition for allowance.

Double Patenting and Rejections under 35 U.S.C. § 102 and 103

These rejections are moot in light of the amendments.

Conclusion

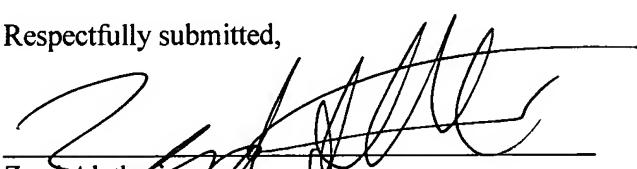
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn.

Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Accordingly, Applicants request that the Examiner issue a Notice of Allowance indicating the allowability of claims 2-18 and 20-36 and that the application be passed to issue. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Please charge any necessary fee or credit any overpayment in connection with this Information Disclosure Statement to Deposit Account No. 22-0261.

Respectfully submitted,

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